

**BOARD OF ADJUSTMENT MEETING
CITY OF FORT LAUDERDALE
WEDNESDAY, DECEMBER 10, 2014 – 6:30 P.M.
CITY HALL CITY COMMISSION CHAMBERS – 1ST FLOOR
100 NORTH ANDREWS AVENUE
FORT LAUDERDALE, FLORIDA**

Board Members	Attendance	Cumulative Attendance 6/2014 through 5/2015	
		Present	Absent
Karl Shallenberger, Chair	P	5	1
Sharon A. Zamojski, Vice Chair	A	3	3
Roger Bond	A	4	2
Caldwell Cooper	P	5	1
Michael Madfis	P	6	0
Matthew Scott	A	4	2
Fred Stresau	P	6	0
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Alternates			
Birch Willey [arrived 6:33]	P	6	0
Andrew Gordon	P	5	0

Staff

Mohammed Malik, Director of Zoning
Anthony Fajardo, Zoning Administrator
Lynda Crase, Administrative Aide
Brigitte Chiappetta, Recording Secretary, Prototype Inc.

Communication to the City Commission

None.

Purpose: Section 47-33.1.

The Board of Adjustment shall receive and hear appeals in cases involving the ULDR, to hear applications for temporary nonconforming use permits, special exceptions and variances to the terms of the ULDR, and grant relief where authorized under the ULDR. The Board of Adjustment shall also hear, determine and decide appeals from reviewable interpretations, applications or determinations made by an administrative official in the enforcement of the ULDR, as provided herein.

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	<u>Case</u> <u>Number</u>	<u>Applicant/Agent</u>	<u>District</u>	<u>Page</u>
1.	B14016	Jeffrey L. Kronengold	1	<u>2</u>
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Board members disclosed communications they had and site visits made regarding items on the agenda.

All individuals wishing to speak on the matters listed on tonight's agenda were sworn in.

Call to Order

Chair Shallenberger called the meeting to order at 6:30 p.m. He introduced Board members and determined a quorum was present.

Approval of Minutes – November 2014

Motion made by Mr. Cooper, seconded by Mr. Stresau, to approve the minutes of the Board's November 2014 meeting. In a roll call vote, motion passed unanimously.

1.	<u>Case No B14016</u>	Index
OWNER:	Jeffrey L. Kronengold	
LEGAL:	LOT 9, BLOCK 1, CORAL RIDGE, according to the plat thereof, as recorded in Plat Book 21, Page 50, of the public records of Broward County, Florida.	
ZONING:	RS-4.4 (Residential Single Family Low Medium Density District)	
ADDRESS:	1529 Middle River Drive, Fort Lauderdale	
DISTRICT:	1	

Appealing: Section 47-2.2.G (Grade)

Requesting a variance to permit the finished floor of the structure to be measured at an elevation of eleven (11) feet NGVD resulting in an increased finished floor elevation of two (2) feet six (6) inches where the code states the following:

When used to measure habitable structures, grade shall be the greater of:

- The natural elevation of the ground when compared to abutting properties. Natural elevation of the ground when compared to abutting properties shall be derived by selecting a minimum of two (2) elevation points on each adjoining property line and calculating the average of all the selected

- elevation points. This calculation will determine the reference plane for calculating the height of habitable structures only;
- b. The base flood elevation requirement for the lowest floor as shown on the flood insurance rate map published by the Federal Emergency Management Agency (FEMA);
 - c. Eighteen (18) inches above the FEMA base floor elevation requirement for the bottom of the lowest horizontal structural member (LHSM) of the lowest floor;
 - d. Eighteen (18) inches above the State of Florida, Department of Environmental Protection or its successor agency, minimum requirement for the bottom of the LHSM of the lowest floor.
 - e. The Broward County one hundred-year flood elevation map.

Mr. Fajardo said he, the City Attorney and the applicant had discussed this and the City Attorney was concerned regarding the request. The notice was also unclear. Mr. Dunckel confirmed that his office had suggested a deferral. He explained that variances were not granted to definitions; variances were granted to substantive requirements to the code. They wished to re-notice the appeal to make it evident that they were seeking a variance from a substantive provision of the code as opposed to a definition.

Jeffrey Kronengold, owner, requested a 30-day deferral.

Motion made by Mr. Stresau, seconded by Mr. Cooper to defer the appeal for 30 days. In a roll call vote, motion passed 6-0.

Other Items and Board Discussion

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None.

Report and for the Good of the City

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None.

Communication to the City Commission

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None.

There being no further business to come before the Board, the meeting was adjourned at 6:37 pm.

Chair:


Karl Shallenberger

Attest:


ProtoType Inc.

Minutes prepared by: J. Opperlee, Prototype Inc.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.